

U.S. DEPARTMENT OF JUSTICE
Instructions for Completing Form DAG-71
Application for Transfer of Federally Forfeited Property

General Instructions

- Transfer of federally forfeited property is governed by the Department of Justice Attorney General's Guidelines on Seized and Forfeited Property (Guidelines).
- Requesting **state or local** law enforcement agency (Agency) head or designee must complete the DAG-71. (**Note:** Incomplete or inaccurate information is the most common cause of delay in processing.)
- For international transfer of federally forfeited property, contact the Asset Forfeiture Office, Criminal Division, Department of Justice, Washington D.C.
- A **separate** DAG-71 must be completed for **each** asset (or proceeds) requested.
- The **deadline** for submitting the DAG-71 to the federal investigative agency processing the forfeiture (federal agency) is **60 days from the date of the last seizure in the case**. No DAG-71 will be considered if submitted after the deadline.
- In a one-asset case where the Agency requests the tangible property in lieu of proceeds, the Agency must return costs and the appropriate federal equitable share to the United States. If the Agency is unable to return the costs and federal share, the property will be liquidated and the proceeds distributed proportionally. (Upon adequate justification, exceptions may be granted by the deciding official.)

DAG-71

- Part I:** For federal use only. (**Note:** Asset Number refers to federal investigative agency case number or uniform identifier.)
- Part II:** Provide information requested. If **NCIC code** is not known, contact the federal agency responsible for processing this forfeiture. **Contact person** is the person who has authority to accept property and transfer documents, and/or money.
- Part III:** Provide as complete a property description as possible. Include serial or vehicle identification number. You must check either **"Item"** (if requesting the asset) or **"Cash/Proceeds"** (if requesting a percentage of the asset). Attach list of any other assets in this case.
- By law, **percentage requested** must be based on the "degree of direct law enforcement effort by the state or local agency resulting in the forfeiture, taking into account the total value of all property forfeited and total law enforcement effort, including any related criminal prosecution with respect to the violation of law on which the forfeiture is based." (21 U.S.C. 881(e)(3)).
- Part IV:** Indicate specific intended law enforcement purpose(s) for requested cash, proceeds or tangible property. Pursuant to the Guidelines, all property, including cash and proceeds, must be used for the specific law enforcement purpose(s) approved.
- Part V:** Answer all items A-F. If an answer to A thru E is yes, provide details in Block VI.
- Part VI:** Space for additional information.
- Part VII:** Agency head or his designee and appropriate legal office must certify that information provided in Blocks I-VI is true and accurate.

SUPPLEMENTAL INSTRUCTIONS FOR MULTIPLE ASSETS

Where multiple assets are seized on the same date, in the same case, and the same request is made for each asset, preparation of paperwork can be simplified by using the following method:

- (1) Complete one original of the DAG-71. In Block III, Asset Requested, enter "See asset marked by an 'x' on the attached list."
- (2) Prepare a list of all assets seized in the case, as shown in the sample below.
- (3) Photocopy the DAG-71 and the list as many times as needed. You will need one copy for each asset.
- (4) Enter an "x" in the appropriate place next to one asset on each copy of the list. That copy will serve as the original DAG-71 for the asset marked with an "x."
- (5) Provide original signatures on all DAG-71s.

Below is a sample of such a list:

LISTING OF ASSETS SEIZED

CASE NO.: _____

| | <u>Asset ID No.</u> (Fed. Use Only) | <u>Asset Description</u> | <u>Serial Number</u> |
|----------|--|---|--|
| — | 93DEA000789 | \$32,000 U.S. currency | n/a |
| — | 93DEA000790 | 1993 Lexus 4-dr sedan, metallic gold | 345YG89FE9332 |
| — | 93DEA000791 | One Panasonic cellular phone | 678954321 |
| <u>X</u> | 93DEA000792 | 1992 Jeep Cherokee, red | 777HG90QRW772 |
| — | 93DEA000793 | Electronic Equipment: IBM PS/1 computer 60 MB hard drive Okidata printer | 8833IBM76321 954673021 785432976 |

Note: This list can also fulfill the requirement to provide a list of all assets seized in a case.

Date: Investigative Agency: Case Number:

U.S. Department of Justice

Application for Transfer of Federally Forfeited Property
(For Use By United States Law Enforcement Agencies Only)

For Federal Use Only

(For Additional Information - See Instructions)

I.

Asset #: Seizure Date: Judicial District: Case Type: Adoption: ☐ Joint: ☐

(Check One)

- All assets transferred must be used for the law enforcement purpose stated in the request.
- Deadline for submission of this request is sixty (60) days following the seizure.
- The requesting agency will be responsible for reimbursing the Federal Government its costs and may be responsible, in a single-asset case, for reimbursing the federal share.

II. Requesting Agency Name: Address: NCIC Code: Date: Contact Person: Telephone Number: () III. Asset Requested: ☐ Other assets in this case (Attach list)Property Description:

Request Type:

☐ Item ☐ Cash/Proceeds %

IV. Specific Intended Law Enforcement Use:

☐ Salaries☐ Purchase of Equipment☐ Other (Please explain): ☐ Purchase of Vehicles☐ Place Into Official Use

(If other than cash)

V. Contribution (If any answer to A thru E is yes, provide details in Part VI):

Yes

No

A. Did your agency originate the information leading to the seizure?

☐☐

B. Were any other assets seized under state law?

☐☐

C. Were extraordinary expenses incurred?

☐☐

D. Did your agency supply any unique or indispensable assistance?

☐☐

E. Are there any assets located in foreign countries associated with this case?

☐☐F. How many hours were expended? hours☐☐

